

H.R. 452, GUN TRAFFICKING PREVENTION ACT OF 2013

The Gun Trafficking Prevention Act of 2013 keeps guns out of the hands of felons and other dangerous criminals who cannot legally buy guns on their own.

Prohibits Firearms Trafficking

The bill addresses concerns raised by law enforcement officials in testimony before Congress about the lack of a dedicated federal statute prohibiting gun trafficking. To address this critical deficiency, the bill prohibits the purchase or transfer of a firearm if the intent is to deliver the firearm to someone else who is prohibited by Federal or State law from possessing a firearm. Persons who commit this offense are subject to up to 20 years imprisonment.

Strengthens Penalties for Straw Purchasers

The bill strengthens penalties for “straw purchasers” who intentionally provide false or misleading material information when they purchase firearms from Federal Firearms Licensees. This includes a purchaser’s statement that he or she is the actual buyer when he or she is, in fact, purchasing the firearm on behalf of someone else. The bill strengthens penalties for making material misstatements to up to 20 years imprisonment. These increased penalties provide law enforcement officials with tools to encourage straw purchasers to cooperate with prosecutors and provide information regarding other members of their gun trafficking networks.

Enhances Penalties for Kingpins and Multiple Illegal Purchases

The bill provides enhanced penalties for organizers or managers of firearms trafficking networks, creating a five year penalty enhancement for these kingpins. The bill recommends that the Sentencing Commission amend the Sentencing Guidelines to impose enhanced penalties for multiple illegal gun purchases.

No Impact on Legal Gun Ownership

The bill has no impact on legal gun ownership or purchases. The bill is narrowly focused on individuals who purchase or transfer firearms with the intent of transferring them to criminals. The bill includes exceptions for gifts that would not otherwise violate the law and certain transfers at death.